ITEM NO. 1008-D

X 96-2: H.RP. 1386/PT. 1

96TH CONGRESS, 2d Session } HOUSE OF REPRESENTATIVES { REPT. 96-1386, Part 1

AUTHORITY TO CONVEY CERTAIN NATIONAL FOREST SYSTEM LANDS

SEPTEMBER 24, 1980.—Ordered to be printed

Mr. FOLEY, from the Committee on Agriculture, submitted the following

COMPLETED ORIGINAL

REPORT

[To accompany H.R. 6257]

[Including Congressional Budget Office cost estimate]

The Committee on Agriculture, to whom was referred the bill (H.R. 6257), to authorize the Secretary of Agriculture to convey certain National Forest System lands, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

That the Secretary of Agriculture, referred to in this Act as the "Secretary", is authorized, when the Secretary determines it to be in the public interest (1) to sell or exchange, by quitclaim deed, all right, title and interest of the United States in and to National Forest System lands described in section 2; and (2) to accept, as consideration for the lands sold or exchanged, other lands, interests in lands, or cash payment, or any combination of such forms of consideration, equal in value to the fair market value of the lands, including the mineral estate, sold or exchanged by the Secretary. The Secretary shall insert in any such quitclaim deed such terms, covenants, conditions and reservations as the Secretary deems necessary to ensure protection of the public interest, including protection of the scenic, wildlife and wilderness values of the National Forest System and provision for appropriate public access to and use of lands within the System.

SEC. 2. The National Forest System lands which may be sold or exchanged under this Act are those the sale or exchange of which is not practicable under any other authority of the Secretary and which are (1) parcels of 40 acres or less which are interspersed with or adjacent to mineral patents, which are determined by the Secretary, because of location or size, not to be subject to efficient administration, and which have a fair market value, as determined by the Secretary through appraisal within one year before or after the date application for sale or exchange is made to the Secretary, of not more than $150,000; (2) parcels of five acres or less which are encroached upon by improvements occupied or used under claim or color of title by persons to whom no advance notice was given that the improvements encroached or would encroach upon such parcels, and who in good faith relied upon an erroneous non-Federal

19

survey, title search or other land description indicating that there was not such encroachment; and (3) road rights-of-way, reserved or acquired, which are substantially surrounded by lands not owned by the United States and which are no longer needed by the United States.

SEC. 3. Any person to whom lands are conveyed pursuant to this Act shall bear all reasonable costs of administration, survey and appraisal incidental to such conveyance, as determined by the Secretary, except in those cases in which the Secretary determines that it would be consistent with the public interest to waive payment of such costs by such person. In the case of road rights-of-way conveyed pursuant to this Act, the person to whom the right-of-way is conveyed shall reimburse the United States for the value of any improvements to such right-of-way which may have been made by the United States.

SEC. 4. Conveyance of any road rights-of-way under this Act shall not be construed as permitting any designation, maintenance, or use of such rights-of-way for road or other purposes except to the extent permitted by State or local law and under conditions imposed by such law.

SEC. 5. For purposes of this Act, the word "person" includes any State or any political subdivision or entity thereof.

SEC. 6. The Secretary shall issue regulations to carry out the provisions of this Act, including specification of (1) criteria which shall be used in making the determination as to what constitutes the public interest; and (2) factors relating to location or size which shall be considered in connection with determining the lands to be sold or exchanged under clause (1) of section 2.

SEC. 7. Nothing in this Act shall authorize conveyance of Federal lands within the National Wilderness Preservation System.

BRIEF EXPLANATION

H.R. 6257, as reported by the Committee on Agriculture, authorizes the Secretary of Agriculture to convey by quitclaim deed certain small parcels of National Forest System land the sale or exchange of which is not practicable under any other authority of the Secretary. The lands which may be conveyed are (1) parcels of 40 acres or less which are interspersed with or adjacent to mineral patents; (2) parcels of five acres or less which are innocently encroached upon by persons who relied in good faith on an erroneous non-Federal survey or other land description; and (3) road rights-of-way no longer needed by the United States. The consideration accepted by the Secretary is to equal the fair market value of the lands sold or exchanged by the Secretary. The bill requires the Secretary to insert in any quitclaim deed provisions necessary to protect the public interest.

PURPOSE AND NEED

Scattered throughout the National Forests are an estimated 200,000 tracts of land the size, shape, or location of which makes them impracticable to administer efficiently as units of the National Forest System. These tracts are of three kinds: (1) irregularly shaped tracts of 40 acres or less which are interspersed with or adjacent to mineral patents, (2) tracts of five acres or less which are innocently occupied because of surveying errors, or (3) road rights-of-way owned by the United States but which are no longer needed. Typical examples of these three problems are illustrated in the exhibits attached at the end of this section, and each type of tract is described below.

Mineral Patents.—The mineral fractions were created during the late nineteenth and early twentieth centuries through patenting of mining claims on the Western public lands. The claims occurred in

concentrated groups forming a broad patchwork, or they followed mineral veins or drainages resulting in a jumbled, interwovern pattern. Most of the mineral patents are no longer held for their mineral values. They may support ranching, industrial plants, irrigation sites and water power facilities, utility lines, roads, and intensive recreation sites. Recently, some of the patented lands have been subdivided into vacation homesites.

Intermingled with the claims are residual, unpatented public lands of all sizes and shapes. Many of these fractions came under the administrative responsibility of the Forest Service upon creation of the National Forests but are of such small size or are located in a way so as to be of little practical use for National Forest System purposes.

Innocent Occupancy.—Innocent occupancy, good faith trespass, or encroachment, upon National Forest System lands occur when improvements are constructed or are being used on a parcel of land acquired in good faith by a private party which is later found to overlap Federal land. This has happened due to an improper property line survey or an error in the title or land description when private lands adjoining public lands are subdivided and sold. The error is not determined until the public land is later surveyed and marked. The trespass would be considered good faith if the private party had no knowledge that improvements would encroach upon the public lands.

These cases generally involve parcels of small size, frequently less than one acre, but constitute a major portion of the estimated 50,000 title claim cases existing on National Forest System lands. Innocent occupancy is a problem not just in the West, but throughout the United States.

Road Rights-of-Way.—Road rights-of-way are narrow strips of public land on private land. Most were created as exceptions to homestead patents in order to provide access to the homesteaded area or to remaining public lands. Some were purchased by the Government in conjunction with the work of the Civilian Conservation Corps. Many of the roads no longer exist or were never built and the average size of the strips is two acres. They occur in the West, especially in Montana, Wyoming, Idaho, and Arizona and are no longer needed for National Forest System purposes.

These three types of small, irregularly shaped tracts of National Forest System land create problems for both the Federal land manager and adjacent private property owners. The tracts are often isolated and too small to justify the time and expense of land management activities such as timbering or grazing. Tracts are often innocently occupied in trespass and sold by private developers or adjoining owners. Adjacent adjoining owners encounter difficulties when attempting to locate rights-of-way for access and utilities.

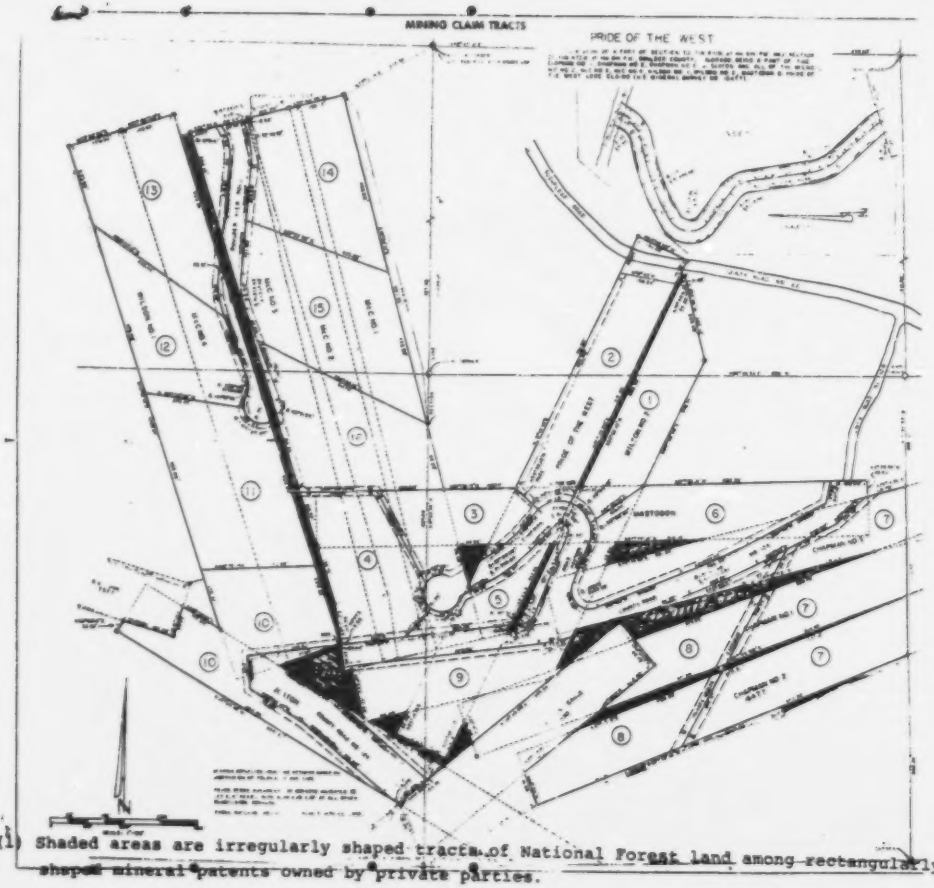
Three means are currently available to handle such problems: special use permits, private legislation, or sale and exchange.

A special use permit may be granted. While acknowledging the occupancy, it allows it to continue for a specified period. This period is usually sufficient only to amortize any improvements to the property. The permit is then cancelled and the improvements must be removed. This is often not a desirable solution.

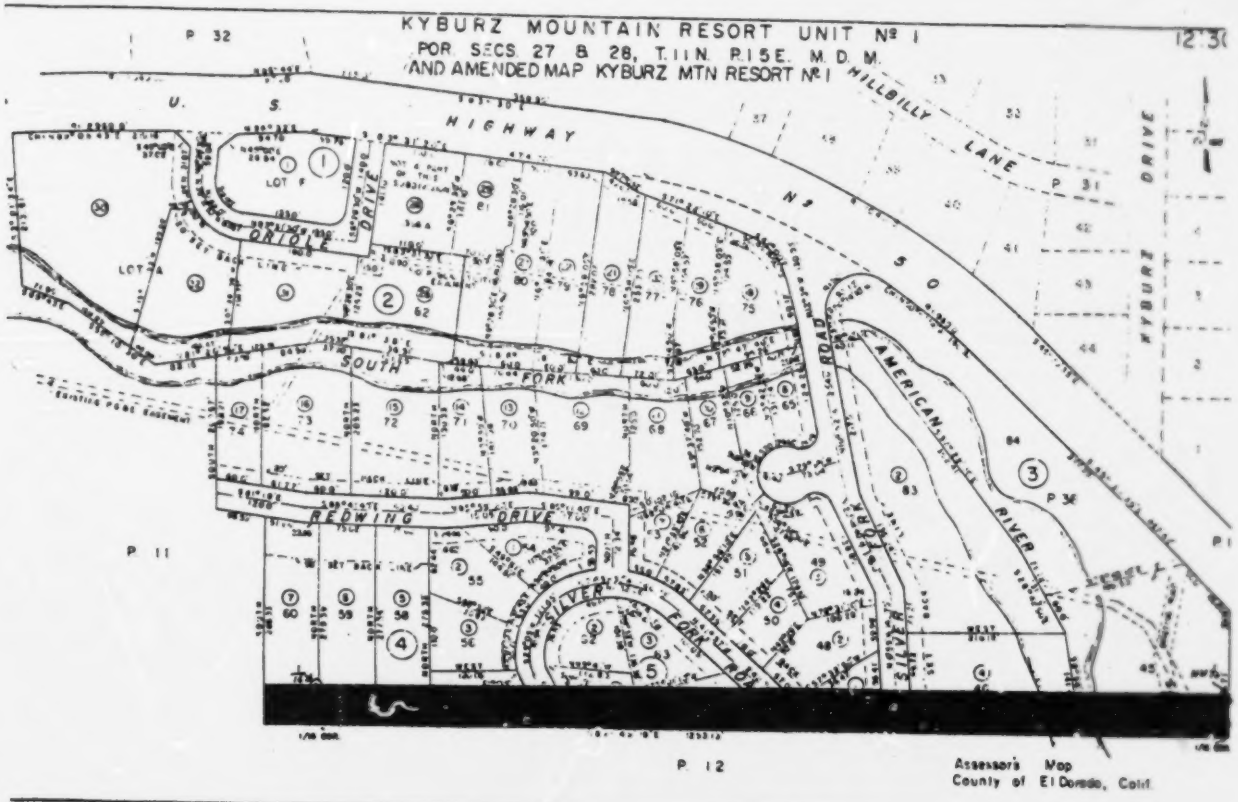
Private legislation has been successful in only a small number of cases. It is a difficult, time-consuming and costly process with uncertain results. The Committee would prefer to resolve the general problem rather than to address individual situations.

A land exchange may also be made under which the Secretary may accept lands in exchange for the small tracts of the type described above. Individual exchanges under current authority are lengthy and expensive. They are not satisfactory in the case of small acreages and irregular tracts. They also may not meet the requirements of the only presently available exchange authority, the General Exchange Act of March 20, 1922.

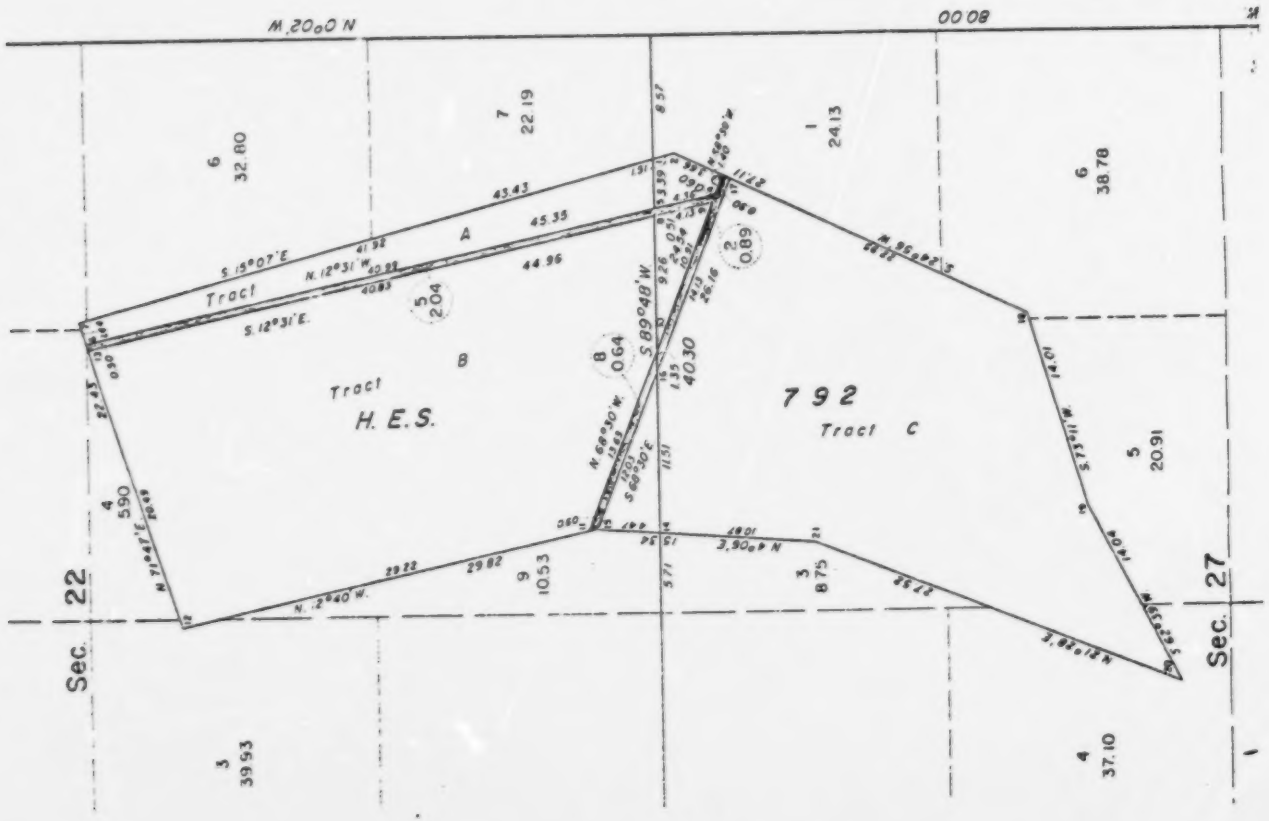
The bill carefully describes the circumstances in which the sale or exchange authority given the Secretary may be exercised. They are, however, sufficiently broad to enable the Secretary, through the Forest Service, to dispose of the great majority of the small-tracts problems which complicate administration of the National Forest System and which cannot be resolved on a practicable basis under authorities presently available to the Secretary.



(1) Shaded areas are irregularly shaped tracts of National Forest land among rectangularly shaped mineral patents owned by private parties.



(2) Shaded area is National Forest Service land innocently occupied by private parties.



(3) Shaded strips are road rights-cf-way owned by the United States which are no longer needed.

SECTION-BY-SECTION ANALYSIS

Section 1 authorizes the Secretary of Agriculture to sell or exchange, by quitclaim deed, National Forest System lands described in section 2, and to accept, as consideration therefor, lands, interests in lands or cash, or any combination of such forms of consideration, equal in value to the fair market value of the lands, including the mineral estate, sold or exchanged by the Secretary. The section directs the Secretary to insert in any quitclaim deed such terms, covenants, conditions, and reservations as the Secretary deems necessary to ensure protection of the public interest, including protection of the scenic, wildlife and wilderness values of the National Forest System and provision for public access to and use of lands within the System.

Section 2 identifies the lands which may be sold or exchanged by the Secretary under section 1 as those the sale or exchange of which is not practicable under any other authority of the Secretary and which are (1) parcels of 40 acres or less which are interspersed with or adjacent to mineral patents; are determined by the Secretary, because of location or size, not to be subject to efficient administration; and have a fair market value, as determined by the Secretary through appraisal within one year before or after the date application for sale or exchange is made to the Secretary, of not more than $150,000; (2) parcels of five acres or less which are encroached upon by improvements occupied or used under claim or color of title by persons to whom no advance notice was given that the improvements encroached or would encroach upon such parcels, and who in good faith relied upon an erroneous non-Federal survey, title search or other land description indicating that there was no such encroachment; and (3) road rights-of-way reserved or acquired which are substantially surrounded by lands not owned by the United States and which are no longer needed by the United States.

Section 3 requires that persons to whom land is conveyed bear all reasonable costs of administration, survey, and appraisal incidental to the conveyance except in cases in which the Secretary determines it would be consistent with the public interest to waive payment of costs. The section also requires that any person to whom a right-of-way is conveyed to reimburse the United States for the value of any improvements made by the United States.

Section 4 provides that conveyance of rights-of-way shall not be construed as permitting any designation, maintenance or use of the rights-of way for road or other purposes except to the extent permitted by State or local law.

Section 5 defines the "person" to include States or any political subdivisions or entities thereof. These would include county and municipal governments, independent school districts and similar entities.

Section 6 directs the Secretary to issue regulations to carry out the bill, including specifications of the criteria to be used in determining what constitutes the public interest and factors to be considered in determining the lands interspersed with mineral patents to be conveyed under the bill.

Section 7 provides that nothing in the bill shall authorize conveyance of Federal lands within the National Wilderness Preservation System.

COMMITTEE CONSIDERATION

A. Hearings

On September 10, 1980, the Subcommittee on Forests held a public hearing on H.R. 6257, a bill which would simplify conveyance of small tracts of National Forest lands.

The first witness, Representative Arlan Stangeland, a co-sponsor of H.R. 6257, told the Subcommittee of a problem in his District. He stated that one of his constituents built a home on what he thought was his own land, and that, when the land was resurveyed, it was found that the home was on Forest Service land. Mr. Stangeland said that the Forest Service has suspended its order that the home be removed. The problem would be solved, he testified, if the Forest Service could, under authority of the bill, if enacted, convey title to the one acre occupied by the home

Dr. Thomas C. Nelson, Deputy Chief of the Forest Service, U.S. Department of Agriculture, was the next witness. He thanked Mr. Weaver, Chairman of the Subcommittee, for introducing H.R. 6257 pursuant to the Forest Service's request and for holding hearings.

Dr. Nelson said that scattered throughout the National Forest System are tracts of lands whose size, shape, or location make them impractical to administer efficiently as units of the System. He stated that the three types of these lands which are difficult to administer are irregularly shaped tracts interspersed with or adjacent to mineral patents; tracts occupied in good faith due to surveying errors, as illustrated by Mr. Stangeland's testimony; and road rights-of-way owned by the United States but not used or needed for that purpose. These tracts are difficult to administer, he said, because they often lack identifiable, definite boundaries and because the surrounding lands are not used for the same purposes as National Forest System lands. Under these circumstances, problems arise in connection with occupancy trespass, establishing new rights-of-way for access for utilities, use by private developers and sometimes inadvertent sale. Dr. Nelson said that the Forest Service's only current authority to dispose of these tracts is the General Exchange Act of 1922, but that, in most cases, the individual exchanges in question do not meet the requirements of the Act.

Mr. Weaver asked Dr. Nelson if the authorities under the bill would produce revenue and Dr. Nelson replied that most cases would be revenue-producing sales.

Dr. Nelson said that there are 50,000 title cases involving privately owned dwellings which encroach on Federal lands. He added that most cases result from good faith occupancies and that 95 percent concern less than five acres. Dr. Nelson explained that the Forest Service could address the encroachment problem administratively through granting a special use permit for a specified period of time, after which the owner would remove the improvements. The General Exchange Act also offers a possible solution, he said. But he described these as less than satisfactory approaches. And the solution of private legislation is an expensive and cumbersome one, he said.

The third type of problem that Dr. Nelson addressed is road rights-of-way owned by the Federal Government but no longer needed for that purpose. He said most of these were reserved by the government

as exceptions from patents to homesteaders and others were purchased in conjunction with the work of the Civilian Conservation Corps. In both cases, the roads were never constructed or, if built, have been abandoned. The road rights-of-way are usually 33 feet wide and are located primarily in Montana, Wyoming, Idaho, and Arizona. They cannot be effectively administered and should be transferred to private ownership, Dr. Nelson testified.

Dr. Nelson said that the purchaser who is occupying Forest Service land in good faith should bear reasonable surveying and administrative costs involved in a conveyance, except to the extent that the public interest, in the form of benefits received by the Government, is served thereby. Dr. Nelson then recommended an amendment to make clear that the provisions of the bill relating to encroachment would apply to those who had no advance notice that improvements "would encroach" upon Federal lands.

Mr. Weaver asked Dr. Nelson why the Forest Service had not proposed legislation earlier if there were 50,000 situations that would be affected by the bill. Dr. Nelson replied that it had taken several years to get the legislation approved by the necessary agencies.

B. Subcommittee Markup

On September 10, 1980, the Subcommittee on Forests held a business meeting to consider H.R. 6257.

Mr. Weaver, Chairman of the Subcommittee, offered an amendment in the nature of a substitute for the provisions of H.R. 6257. The amendment revised and supplemented certain provisions of the bill as introduced. It added to the three specified forms of consideration which may be accepted by the Secretary for the lands conveyed, any combination of such forms of consideration. It also required the Secretary to include in any quitclaim deed conveying lands provisions necessary to protect the public interest.

The amendment also added to the description of National Forest System lands which may be conveyed under the bill, the condition that their sale or exchange is not practicable under other authority of the Secretary. With respect to the conveyance of parcels interspersed with mineral patents, it added the condition that such parcels not exceed $150,000 in value. With respect to the conveyance of parcels encroached upon in good faith, it added the condition that the person relied upon an erroneous non-Federal survey or other land description.

The amendment inserted a provision requiring the person to whom lands are conveyed to bear reasonable costs of administration, survey, and appraisal incidental to the conveyance unless the Secretary determines that it is consistent with the public interest to waive payment of such costs. Likewise, it required those to whom rights-of-way are conveyed to reimburse the United States for any improvements it may have made in the rights-of-way. And it made clear that conveyance of rights-of-way shall not be construed as permitting their use for roads or other purposes except to the extent permitted by State or local law.

Finally, the amendment specified certain provisions to be included in regulations issued by the Secretary and stated that nothing in the bill authorizes conveyance of lands within the National Wilderness Preservation System.

A question was raised as to whether the requirement that rights-of-way, to be eligible for conveyance, be "surrounded" by lands not owned by the United States was too restrictive, since in some cases the United States might own the land where the rights-of-way enter or exit the non-Federal lands which otherwise surround them. Question also was raised as to whether it was accurate or appropriate for the bill to provide that "interests in land" accepted by the Secretary were to become National Forest System "lands" subject to all the laws, rules, and regulations applicable thereto. The Chairman directed counsel to clarify these matters.

The Weaver amendment in the nature of a substitute was approved by unanimous voice vote.

On motion of Mr. Huckaby, the Subcommittee, in the presence of a quorum, ordered H.R. 6257, as amended, reported to the full Committee with a recommendation that it do pass.

C. Full Committee Markup

On September 18, 1980, the full Committee met to consider H.R. 6257, as amended.

Mr. Weaver, Chairman of the Subcommittee on Forests, explained that the bill will have several beneficial effects. It will, he said, nearly eliminate the need to issue temporary special use permits for unauthorized occupancy; provide broader exchange authority to facilitate disposal of small tracts; reduce the miles of property boundary between Federal and private lands, thus reducing establishment and maintenance costs; reduce the number of bills considered by Congress for private relief; provide equitable relief to many private landowners who unknowingly encroach on National Forest lands; and provide authority to properly administer federally owned land in and around mining claim areas.

Mr. Weaver then referred to the two issues raised during the Subcommittee markup which were to be clarified. He asked counsel to report on what had been done. Counsel responded that the word "substantially" had been inserted before the words "surrounded by lands not owned by the United States" to obviate the possibility of literal application of the latter words. As to the second issue, counsel reported that the provision relating to acquired "interests in land" becoming "National Forest System lands subject to all rules and regulations applicable thereto" had been deleted because, after discussions with representatives of the Forest Service, it had been concluded that striking out the provision resolved any question and that, if the language under consideration were found to present problems in other forest legislation, this bill was not an appropriate vehicle to resolve them.

Mr. Thomas then made an inquiry as to whether two parcels in the Angeles National Forest owned by David A. Cook are both to be acquired by the Forest Service. A representative of that agency responded that both parcels are up for purchase, subject to the budget.

Mr. Marlenee offered an amendment that the word "person" in the bill be defined to include State, local or municipal government. He stated that this change would obviate problems that have arisen in connection with transfers of lands within a city or municipality. By unanimous consent, the motion was adopted.

On motion by Chairman Foley (Mr. Brown, Acting Chairman, presiding), the Committee, in the presence of a quorum, by a unanimous voice vote, ordered H.R. 6257, as amended, reported to the House with a recommendation that it do pass.

ADMINISTRATION POSITION

The Acting Secretary of Agriculture sent the following letter dated December 20, 1979, to the Speaker of the House of Representatives in which he recommended introduction and enactment of a draft bill similar to H.R. 6257:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., December 20, 1979.

Hon. THOMAS P. O'NEILL,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Transmitted herewith, for the consideration of the Congress, is a draft bill "To authorize the Secretary of Agriculture to convey certain National Forest System lands, and for other purposes."

The Department of Agriculture recommends introduction and enactment of the draft bill.

The proposed legislation would permit the Secretary of Agriculture to convey by quitclaim deed, either by sale or exchange, certain National Forest System lands. Lands to be conveyed are restricted to those which are: (1) irregularly shaped tracts of 40 acres or less which cannot be efficiently or economically administered, (2) tracts of five acres or less which are innocently occupied because of surveying errors, or (3) road rights-of-way owned by the United States but which are no longer needed. In consideration for the lands sold or exchanged, the Secretary could accept either cash payment, lands or interest-in-lands equal to the fair market value of the lands sold or exchanged. Any mineral interests would be recognized in determination of value. Lands received in exchange would become National Forest System lands.

The tracts were created during the late nineteenth and early twentieth centuries through patenting of mining claims on the public lands in the West. The claims occurred in concentrated groups forming a broad patchwork, or they followed mineral veins or drainages resulting in a jumbled, interwoven patten. Intermingled with the claims are residual, unpatented public lands of all sizes and shapes. Many of these fractions came under the administrative responsibility of the Forest Service upon creation of the National Forest.

Intensified land use and growing development has resulted in a large increase in problems related to these fractional ownerships. Most of the mineral patents are no longer held for their mineral values. They may support ranching, industrial plants, irrigation sites and water power facilities, utility lines, roads, and intensive recreation sites. Recently, some of the patented lands have been subdivided into vacation homesites. Because of the irregular shapes and the lack of

definite and readily identifiable boundaries of the parcels, it is difficult for the public land manager to fulfill his responsibility in the administration of the intermingled Federal lands. Problems include occupancy trespass, identification of rights-of-way for access and utilities, inadvertent sale of publicly-owned fractions, and use by private developers.

Many of these fractions are of such small size or are located in a way so as to be of no practical use for National Forest System purposes. They should be transferred to private ownership. The only method presently available is by land exchange under the General Exchange Act of March 20, 1922 (42 Stat. 465, as amended; 16 U.S.C. 485–86). In most instances, the exchange will not meet the requirements of that Act. Furthermore, individual exchanges are an expensive, time-consuming and impractical means to resolve the problems of fractional ownerships.

Encroachment on National Forest System lands occurs when improvements are constructed or used on a parcel of land acquired in good faith which is later found to overlap the land because of an improper line survey or an error in the property title or land description. This frequently occurs when private lands are subdivided and sold as residential lots. The nonfederal surveys to establish the subdivision may be found to be incorrect when the adjoining Federal land boundary is later surveyed and marked. It is believed that a portion of the estimated 50,000 title claim and trespass situations that currently exist on National Forest System lands are due to good faith occupancy. The majority of these involves less than one acre.

Two means are available to handle such cases. A special use permit may be granted that, while acknowledging the occupancy, allows it to continue for a specified period. This period is usually sufficient only to amortize any improvements to the property. The permit is then cancelled and the improvements must be removed. A land exchange may be made that allows the owner to exchange other private lands for the Government lands in question. This means is not satisfactory because of the small acreages and irregular sizes and, like mineral fractions, is an expensive and lengthy process. The only alternative available to the landowner is a private relief bill; a difficult, time-consuming, and costly process with uncertain results.

A related problem pertains to the hundreds of rights-of-way through private lands that have been reserved or acquired in fee by the Government. Most of these were reserved as exceptions from patents to homesteaders and they were intended to provide for existing, planned or potential "wagon roads" serving the homesteaded areas, or to assure public access to public lands. Many of the roads no longer exist or were never constructed. The average size of these strips is two acres. Some rights-of-way were acquired in conjunction with the Civilian Conservation Corps Program. The result has been the splitting of private ownerships by a strip of Federal land which may serve no useful purpose. The Federal lands are often incorporated into the adjacent private ownerships, resulting in various types of occupancy trespass. Like the mineral fractions, these tracts cannot be effectively administered and should be transferred to private ownership.

In order to expedite the process of surveying such lands prior to conveyance, this Department is now working with the Department of

the Interior on a plan to provide for expeditious completion of required surveys. We expect to have an agreement soon.

The proposed legislation would provide authority to properly administer federally-owned lands and effectively dispose of these small tracts where they are not needed for Federal purposes. It would not require additional appropriations. The proposal could result in a net savings to the Government as the expense of administering these small tracts is reduced.

The Office of Management and Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

A similar letter has been sent to the President of the Senate.

Sincerely,

JIM WILLIAMS,
Acting Secretary.

Enclosure.

A BILL To authorize the Secretary of Agriculture to convey certain National Forest System lands, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, hereafter referred to as the "Secretary," is authorized when in the public interest (1) to sell or exchange, by quitclaim deed all right, title and interests of the United States to certain National Forest System lands; and (2) to accept as consideration for the lands sold or exchanged either lands, interest-in-lands or cash payment equal to the fair market value of the lands, including the mineral estate, sold or exchanged by the Secretary. The Secretary may insert in any such quitclaim deed such terms, covenants, conditions, and reservations as the Secretary deems necessary to insure protection of the public interest.

SEC. 2. The National Forest System lands to be sold or exchanged under this act are restricted to (1) parcels of land of 40 acres or less interspersed with or adjacent to mineral patents which because of location or size are not subject to efficient administration as parts of the National Forest System, (2) tracts of five acres or less where improvements are occupied or used under a claim or color of title in good faith and which encroach upon such tracts: *Provided*, That, no advance notice was given that the improvements encroached upon such tracts, and the encroachment is the result of an error in a non-federal survey, title search or other land description and the encroachment was not the fault of the encroaching private party: *Provided, further*, That the Secretary may require the private owner to bear all reasonable administrative and survey costs, and (3) road rights-of-way reserved or acquired which are no longer needed by the United States and may not be practical to dispose of under other authority.

SEC. 3. All lands, or interest-in-lands acquired under this act shall become upon acquisition National Forest System lands subject to all the laws, rules and regulations applicable thereto.

SEC. 4. The Secretary may issue regulations to carry out the provisions of this act.

CURRENT AND FIVE SUBSEQUENT FISCAL YEAR COST ESTIMATE

Pursuant to clause 7 of rule XIII of the Rules of the House of Representatives, the Committee on Agriculture submits the following cost estimate. The Committee concurs with the estimate submitted by the Congressional Budget Office and included elsewhere in this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that enactment of H.R. 6257, as amended, will have no inflationary impact on the national economy.

BUDGET ACT COMPLIANCE (SECTION 308 AND SECTION 403)

The provisions of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority or new or increased tax expenditures) are not considered applicable. The estimate and comparison prepared by the Director of the Congressional Budget Office under clause 2(l)(3)(C) of Rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., September 24, 1980.

Hon. THOMAS S. FOLEY,
Chairman, Committee on Agriculture, U.S. House of Representatives, Longworth House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has reviewed H.R. 6257, a bill to authorize the Secretary of Agriculture to convey certain National Forest System lands, and for other purposes, as ordered reported by the House Committee on Agriculture, September 18, 1980.

This bill authorizes the Secretary of Agriculture to sell or exchange certain small parcels of National Forest Service land. The lands involved include: parcels of 40 acres or less valued at a maximum of $150,000 which are inefficient to manage because of location or size; sites which have been innocently encroached upon due to erroneous non-federal surveys; and federally reserved road rights-of-way which are surrounded by non-federal lands and are no longer needed. Based on information from the National Forest Service, it is estimated that the value of the lands which will be sold or exchanged by the end of fiscal year 1985 is approximately $1.9 million (in current prices). Assuming the transactions occur at a percentage rate of 10/15/25/25/25 during the next five years and that 90 percent of these transactions are land sales (and 10 percent are land exchanges), receipts to the federal government resulting from enactment of this legislation will be approximately $0.2 million in fiscal year 1981, $0.3 million in fiscal year 1982, $0.6 million in fiscal year 1983, $0.6 million in fiscal year 1984,

and $0.7 million in 1985. No significant net additional administrative costs to the federal government are expected to be incurred as a result of enactment of this legislation.

Sincerely,

ALICE M. RIVLIN,
Director.

OVERSIGHT STATEMENT

No summary of oversight findings and recommendations made by the Committee on Government Operations under clause 2(b)(2) of rule X of the Rules of the House of Representatives was available to the Committee with reference to the subject matter specifically addressed by H.R. 6257, as amended.

No specific oversight activities were conducted by the Committee within the definition of clause 2(b)(1) of rule X of the Rules of the House of Representatives.

○